

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Akihiko NISHIO Art Unit 2617  
Appln. No.: 10/568,672 Exr. N. Huynh  
Filed: February 17, 2006 Conf. No. 2716  
For: WIRELESS COMMUNICATION APPARATUS AND SUBCARRIER ALLOCATION METHOD

CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the Information Disclosure Statement filed November 5, 2009 was first cited in any communication (see the attached copy of the Japanese Office Action dated August 11, 2009) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

/James Edward Ledbetter/

Date: November 5, 2009

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